

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Milton I. Shadur	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	00 C 3248	DATE	5/13/2004
CASE TITLE	USA vs. Michael Black		

[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]

MOTION:

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DOCKET ENTRY:

(1)	<input type="checkbox"/>	Filed motion of [use listing in "Motion" box above.]
(2)	<input type="checkbox"/>	Brief in support of motion due _____.
(3)	<input type="checkbox"/>	Answer brief to motion due _____. Reply to answer brief due _____.
(4)	<input type="checkbox"/>	Ruling/Hearing on _____ set for _____ at _____.
(5)	<input type="checkbox"/>	Status hearing[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
(6)	<input type="checkbox"/>	Pretrial conference[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
(7)	<input type="checkbox"/>	Trial[set for/re-set for] on _____ at _____.
(8)	<input type="checkbox"/>	[Bench/Jury trial] [Hearing] held/continued to _____ at _____.
(9)	<input type="checkbox"/>	This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to] <input type="checkbox"/> FRCP4(m) <input type="checkbox"/> Local Rule 41.1 <input type="checkbox"/> FRCP41(a)(1) <input type="checkbox"/> FRCP41(a)(2).
(10)	<input checked="" type="checkbox"/>	[Other docket entry] Enter Memorandum Order. Black's application to proceed without prepayment of the filing fee is granted. (57-1) Accordingly Black is assessed an initial partial filing fee of \$20.83 and the Butner trust fund officer is ordered to collect that partial filing fee and pay it directly to the Clerk. Monthly payments shall be forwarded to the Clerk each time the amount in the account exceeds \$10 until the full \$255 in filing fees is paid.
(11)	<input checked="" type="checkbox"/>	[For further detail see order attached to the original minute order.]

<input type="checkbox"/>	No notices required, advised in open court.	<i>mailed to trust fund officer + fiscal 5/13</i> U.S. DISTRICT COURT CLERK'S OFFICE 2004 MAY 13 PM 3:49 FILED	number of notices	Document Number 59
<input type="checkbox"/>	No notices required.		MAY 14 2004 date docketed	
<input checked="" type="checkbox"/>	Notices mailed by judge's staff.		Cyp docketing deputy initials	
<input type="checkbox"/>	Notified counsel by telephone.		5/13/2004 date mailed notice	
<input type="checkbox"/>	Docketing to mail notices.		SN	
<input type="checkbox"/>	Mail AO 450 form.		mailing deputy initials	
<input type="checkbox"/>	Copy to judge/magistrate judge.			
SN	courtroom deputy's initials	Date/time received in central Clerk's Office		

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DOCKETED
MAY 14 2004

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	
)	No. 00 C 3248
MICHAEL BLACK,)	(98 CR 434-9)
)	(USCA No. 04-1350)
Defendant.)	

MEMORANDUM ORDER

On March 10, 2004 this Court entered its order requiring Michael Black ("Black") to submit a printout reflecting transactions in his trust fund account at Butner FMC ("Butner," where he is now in custody) for the entire period from September 1, 2003 to March 1, 2004, to enable this Court to rule on his motion for leave to appeal in forma pauperis (see 28 U.S.C. §1915(a)(2)¹). That printout has now been provided, and this Court's calculations reflect the following:

1. Average monthly deposits to Black's account for that six month period (Section 1915(b)(1)(A)) are far in excess of the average monthly balance in the account (Section 1915(b)(1)(B)) during the same period.


2. Those average monthly deposits amounted to \$104.17, 20% of which is \$20.83 (Section 1915(b)(1)).

Accordingly Black is assessed an initial partial filing fee of \$20.83, and the Butner trust fund officer is ordered to

¹ All further references to Title 28's provisions will simply take the form "Section--."

collect that partial filing fee from Black's trust fund account there and to pay it directly to the Clerk of the United States District Court ("Clerk"). If the current balance in the account is insufficient for such a payment, payment shall be made as soon as the amount in the account is adequate to meet that requirement.

After such payment, the trust fund officer at Butner (or at any other correctional facility where Black may hereafter be confined) is authorized to collect monthly payments from his trust fund account in an amount equal to 20% of the preceding month's income credited to the account. Monthly payments collected from the trust fund account shall be forwarded to the Clerk each time the amount in the account exceeds \$10 until the full \$255 in filing fees is paid. Both the initial payment and all future payments shall be sent to the Clerk, United States District Court, 219 South Dearborn Street, Chicago, Illinois 60604, attention: Fiscal Department, and shall clearly identify Black's name and the 04-1350 case number assigned to the present appeal and the 00 C 3248 case number that had been assigned to the action in the District Court. To implement these requirements, the Clerk shall send a copy of this order to the Butner trust fund officer.



Milton I. Shadur
Senior United States District Judge

Date: May 13, 2004